

would put it to productive use for reservation housing, use fully compatible with adjacent land usage. Indeed, by doing so, the tribe will be removing a major risk for both the reservation and the nearby community. Access would be through the existing reservation to avoid any impact on the existing neighborhood, and the tribe is committed to working with the nearby homeowners association to assure that it doesn't affect the rural nature of the community.

The property is on unincorporated county land, and the County Board of Supervisors, which is the land use planning agency with jurisdiction over this land, fully supports the transfer.

The administration supports my bill. I urge adoption of the legislation, and I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I yield myself as much time as I may consume.

The Shingle Springs Band of Miwok Indians is a federally recognized Indian tribe with a reservation located 40 miles east of Sacramento. The band is currently in need of housing to accommodate its growing membership and identified approximately 41 acres of land currently managed by the Bureau of Land Management for placement into trust. The band anticipates designing a residential community with community buildings and recreational facilities within that community and will also consider nongaming economic development, as well.

H.R. 2388 would authorize the Secretary of the Interior to take the land into trust and would explicitly prohibit class 2 and class 3 gaming activities on these lands once they are placed into trust.

The County of El Dorado supports the band's efforts to secure the BLM property in trust and has entered into a memorandum of understanding with the band.

We support H.R. 2388 and these efforts, and I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Speaker, I have no further speakers, and I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, let me thank the gentleman for yielding, and let me rise to indicate my recognition of the importance of this legislation and to support it.

I want to make a point simply on this bill dealing with the Secretary of the Interior, that it is to study the issue of large parks, urban parks in our respective urban areas as being in the jurisdiction of the Secretary of the Interior, the Interior Department, because we are losing that park land because of the inability to collaborate with the Federal Government on the resources that are so necessary.

I recognize that we are in sequestration, but I believe that it is important that we collaborate. I wanted to make sure that I put that on the record.

Let me also put on the record, as a member of the Homeland Security Committee, my support for the TSA Loose Change Act, H.R. 1095; my support for H.R. 2719, the Transportation Acquisition Security Reform Act; and my special support for H.R. 1204, the Aviation Security Stakeholder Participation Act of 2013 because, in fact, that stakeholder committee is going to help provide more security for our TSA officers and have stakeholders dealing with issues like phones on airplanes and knives on airplanes. Certainly, guns are only held by the pilots in the pilot program. But it is going to be able to allow stakeholders to be able to have a real say in aviation security, and I think that is crucially important.

Let me also acknowledge my support for the Undetectable Firearms Act of 1988 and its extension. I would hope that that bipartisan support, along with Mr. COBLE, whom we have so much great respect for, will lead us to universal background checks and the passage of Federal legislation that would require all of us to store our guns. It is not difficult to provide or buy a simple safe to store your guns and to protect those from undue harm.

I thank my colleague for yielding to me.

My understanding is that we are here on the floor of the House to do work. Some people find it humorous when Members rise to the floor and add additional commentary dealing with their constituency and their work. And since I believe in working and I believe in working on behalf of my constituents, I am very grateful to the gentleman from Arizona recognizing the seriousness of which I make these points and allowing me to have this time on this legislation. I think all of us can recognize that when the floor is open, it is open for Members to come and make serious commentary about the work that they would hope this Congress would be able to do.

I close by thanking the gentleman. He has many capacities, such as the co-chair of the Progressive Caucus. I want to thank him for his leadership on immigration reform. And for those of us who were down with the Fast for Families, I again say that we pray for them. We pray that the hearts of this Congress will be touched, that we will be able to finish and complete comprehensive immigration reform, something my constituency is also now praying for on the steps of the city hall.

Mr. GRIJALVA. Mr. Speaker, I yield back the balance of my time.

Mr. MCCLINTOCK. Mr. Speaker, I want to thank my colleagues on the other side of the aisle for their support of this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MCCLINTOCK) that the House suspend the rules and pass the bill, H.R. 2388, as amended.

The question was taken; and (two-thirds being in the affirmative) the

rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to take certain Federal lands located in El Dorado County, California, into trust for the benefit of the Shingle Springs Band of Miwok Indians, and for other purposes."

A motion to reconsider was laid on the table.

#### BUREAU OF RECLAMATION CONDUIT HYDROPOWER DEVELOPMENT EQUITY AND JOBS ACT

Mr. MCCLINTOCK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1963) to amend the Water Conservation and Utilization Act to authorize the development of non-Federal hydropower and issuance of leases of power privileges at projects constructed pursuant to the authority of the Water Conservation and Utilization Act, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1963

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Bureau of Reclamation Conduit Hydropower Development Equity and Jobs Act".

#### SEC. 2. AMENDMENT.

Section 9 of the Act entitled "An Act authorizing construction of water conservation and utilization projects in the Great Plains and arid semiarid areas of the United States", approved August 11, 1939 (16 U.S.C. 590z-7; commonly known as the "Water Conservation and Utilization Act"), is amended—

(1) by striking "In connection with" and inserting "(a) In connection with"; and

(2) by adding at the end the following:

"(b) Notwithstanding subsection (a), the Secretary is authorized to enter into leases of power privileges for electric power generation in connection with any project constructed under this Act, and shall have authority in addition to and alternative to any authority in existing laws relating to particular projects, including small conduit hydropower development.

"(c) When entering into leases of power privileges under subsection (b), the Secretary shall use the processes applicable to such leases under section 9(c) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)).

"(d) Lease of power privilege contracts shall be at such rates as, in the Secretary's judgment, will produce revenues at least sufficient to cover the appropriate share of the annual operation and maintenance cost of the project and such fixed charges, including interest, as the Secretary deems proper. Lease of power privilege contracts shall be for periods not to exceed 40 years.

"(e) No findings under section 3 shall be required for a lease under subsection (b).

"(f) All right, title, and interest to installed power facilities constructed by non-Federal entities pursuant to a lease of power privilege, and direct revenues derived therefrom, shall remain with the lessee unless otherwise required under subsection (g).

"(g) Notwithstanding section 8, lease revenues and fixed charges, if any, shall be covered into the Reclamation Fund to be credited to the project from which those revenues or charges were derived.

“(h) When carrying out this section, the Secretary shall first offer the lease of power privilege to an irrigation district or water users association operating the applicable transferred conduit, or to the irrigation district or water users association receiving water from the applicable reserved conduit. The Secretary shall determine a reasonable timeframe for the irrigation district or water users association to accept or reject a lease of power privilege offer. If the irrigation district or water users association elects not to accept a lease of power privilege offer under subsection (b), the Secretary shall offer the lease of power privilege to other parties using the processes applicable to such leases under section 9(c) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)).

“(i) The Bureau of Reclamation shall apply its categorical exclusion process under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to small conduit hydropower development under this section, excluding siting of associated transmission facilities on Federal lands.

“(j) Nothing in this section shall obligate the Western Area Power Administration or the Bonneville Power Administration to purchase or market any of the power produced by the facilities covered under this section and none of the costs associated with production or delivery of such power shall be assigned to project purposes for inclusion in project rates.

“(k) Nothing in this section shall alter or impede the delivery and management of water by Bureau of Reclamation facilities, as water used for conduit hydropower generation shall be deemed incidental to use of water for the original project purposes. Lease of power privilege shall be made only when, in the judgment of the Secretary, the exercise of the lease will not be incompatible with the purposes of the project or division involved and shall not create any unmitigated financial or physical impacts to the project or division involved. The Secretary shall notify and consult with the irrigation district or legally organized water users association operating the transferred conduit in advance of offering the lease of power privilege and shall prescribe such terms and conditions necessary to adequately protect the planning, design, construction, operation, maintenance, and other interests of the United States and the project or division involved.

“(l) Nothing in this section shall alter or affect any agreements in effect on the date of the enactment of the Bureau of Reclamation Conduit Hydropower Development Equity and Jobs Act for the development of conduit hydropower projects or disposition of revenues.

“(m) In this section:

“(1) The term ‘conduit’ means any Bureau of Reclamation tunnel, canal, pipeline, aqueduct, flume, ditch, or similar manmade water conveyance that is operated for the distribution of water for agricultural, municipal, or industrial consumption and not primarily for the generation of electricity.

“(2) The term ‘irrigation district’ means any irrigation, water conservation or conservancy, multi-county water conservation or conservancy district, or any separate public entity composed of two or more such districts and jointly exercising powers of its member districts.

“(3) The term ‘reserved conduit’ means any conduit that is included in project works the care, operation, and maintenance of which has been reserved by the Secretary, through the Commissioner of the Bureau of Reclamation.

“(4) The term ‘transferred conduit’ means any conduit that is included in project works

the care, operation, and maintenance of which has been transferred to a legally organized water users association or irrigation district.

“(5) The term ‘small conduit hydropower’ means a facility capable of producing 5 megawatts or less of electric capacity.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. MCCLINTOCK) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from California.

#### GENERAL LEAVE

Mr. MCCLINTOCK. Mr. Speaker, I ask unanimous consent that Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MCCLINTOCK. Mr. Speaker, I yield myself such time as I may consume.

H.R. 1963 by Congressman DAINES of Montana seeks to jump-start conduit hydropower development at 11 Bureau of Reclamation projects. The bill specifically removes statutory impediments by authorizing non-Federal hydropower development at these conduits and provides administrative and regulatory reforms necessary to foster such development.

Earlier this year, the House passed H.R. 678 by Congressman TIPTON and Congressman COSTA by a 416-7 vote to promote conduit hydropower development at reclamation facilities. H.R. 678 applied to hundreds of reclamation facilities that are covered under the authorities of the Reclamation Project Act of 1939. This measure applies to the remaining reclamation facilities, all of which are governed under the different and more complex authorities of the Water Conservation and Utilization Act of 1939.

The Tipton bill provided for a streamlined regulatory process in part by providing a categorical exemption for redundant environmental reviews. The WCUA actually forbids the installation of small hydroelectric generators in the projects regulated under this act, and thus the need for this separate legislation.

The arguments in favor of getting the Federal Government out of the way so that private contractors can lease existing Federal pipelines and canals for the purpose of installing small hydroelectric generators are well known to the House, as evidenced by the overwhelming bipartisan vote accorded the Tipton bill earlier this year. That bill was signed into law a few months ago, and I am told it has already produced a flood of new applications for clean and cheap small hydroelectric generators.

Not only has a new source of absolutely clean and inexpensive hydroelectricity been made available, the Federal Treasury benefits from the

revenues that these leases produce in addition to the added economic activity that they enable. Mr. DAINES' measure completes that work by applying the same policy to the remaining reclamation facilities that fell under the WCUA.

I commend the gentleman from Montana for his leadership on this issue, and I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I yield myself such time as I may consume.

We concur with Mr. MCCLINTOCK's description of the legislation, and we have no objections to H.R. 1963.

I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Speaker, I am now pleased to yield as much time as he may consume to the gentleman from Montana (Mr. DAINES), the author of this measure.

Mr. DAINES. Mr. Speaker, I rise today in support of my bill, H.R. 1963, the Bureau of Reclamation Conduit Hydropower Development Equity and Jobs Act.

In Congress, one of our top priorities is to secure American energy independence, and as we all see in this institution, we don't always agree on how best to meet that goal. However, hydropower is a clean, renewable source of energy, and finding innovative ways to develop this resource is an area where most of us can agree. I am grateful that Chairman MCCLINTOCK and Ranking Member GRIJALVA support this bill, and I was pleased to see the bipartisan spirit behind this legislation.

Bureau of Reclamation projects, such as canals, pipelines, and dams, play an important role in supplying water for our communities. Agriculture is the primary economic driver in my home State of Montana, and having a sound and strong irrigation system is critically important to us back home.

H.R. 1963 will amend the Water Conservation and Utilization Act to allow for conduit hydropower development on 11 Bureau of Reclamation projects governed under this act. That includes some in my home State of Montana, including the Buffalo Rapids near Miles City, the intake project by Glendive, the Milk River Project, as well as the Missoula Valley Project. With this legislation, our irrigation systems can also power our homes and our businesses. Additionally, this bill will help provide revenues to improve critical infrastructure for farmers and ranchers who rely on these systems.

In Montana, balancing energy development with responsible stewardship of our resources is the way we do business in Montana. Our livelihoods, our access to recreation, and the future of our State for our kids rely on a robust, balanced energy plan that also protects our unique landscapes, and that is what keeps us Montanans loving the place we call home. A diverse energy portfolio helps keep electric prices low for Montana families and creates jobs. Hydropower is an important part of that puzzle, and my bill will help us get there.

H.R. 1963 has received strong bipartisan support in committee, and I urge the same here today.

Mr. GRIJALVA. I have no further speakers, Mr. Speaker, and I yield back the balance of my time.

Mr. MCCLINTOCK. Mr. Speaker, I again commend the gentleman from Montana for his work on this issue. It is one of the most important achievements in power development that we have had recently, the jump-starting of these small hydropower generators.

I thank the gentleman from the other side of the aisle for his support of the measure and urge its adoption.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MCCLINTOCK) that the House suspend the rules and pass the bill, H.R. 1963, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### SPECIAL RULES FOR INYO NATIONAL FOREST LAND EXCHANGE

Mr. MCCLINTOCK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1241) to facilitate a land exchange involving certain National Forest System lands in the Inyo National Forest, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1241

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SPECIAL RULES FOR INYO NATIONAL FOREST LAND EXCHANGE.

(a) **AUTHORITY TO ACCEPT LANDS OUTSIDE BOUNDARIES OF INYO NATIONAL FOREST.**—In any land exchange involving the conveyance of certain National Forest System land located within the boundaries of Inyo National Forest in California, as shown on the map titled “Federal Parcel” and dated June 2011, the Secretary of Agriculture may accept for acquisition in the exchange certain non-Federal lands in California lying outside the boundaries of Inyo National Forest, as shown on the maps titled “DWP Parcel – Interagency Visitor Center Parcel” and “DWP Parcel – Town of Bishop Parcel” and dated June 2011, if the Secretary determines that acquisition of the non-Federal lands is desirable for National Forest System purposes.

(b) **CASH EQUALIZATION PAYMENT; USE.**—In an exchange described in subsection (a), the Secretary of Agriculture may accept a cash equalization payment in excess of 25 percent. Any such cash equalization payment shall be deposited into the account in the Treasury of the United States established by Public Law 90-171 (commonly known as the Sisk Act; 16 U.S.C. 484a) and shall be made available to the Secretary for the acquisition of land for addition to the National Forest System.

(c) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to grant the Secretary of Agriculture new land exchange authority. This section modifies the use of land exchange authorities already available to the Secretary as of the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. MCCLINTOCK) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from California.

#### GENERAL LEAVE

Mr. MCCLINTOCK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MCCLINTOCK. Mr. Speaker, I yield myself such time as I may consume.

H.R. 1241 authorizes the Forest Service to acquire two parcels of land outside the boundary of the Inyo National Forest in exchange for a parcel of national forest land conveyed to the Mammoth Mountain Ski Area.

□ 1345

The ski area has been operating its main base under a special-use permit. However, acquiring ownership of that parcel under this legislation would allow the ski area to conduct desperately needed renovations to its facilities. At the same time, the Forest Service would be able to acquire land that it currently leases to operate the facilities outside the boundary of the Inyo National Forest.

I urge adoption of this sensible measure authored by Congressman PAUL COOK and reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I yield myself as much time as I may consume.

H.R. 1241 would authorize the Secretary of Agriculture to accept lands outside the boundaries of the Inyo National Forest in the Eastern Sierra in exchange for non-Federal lands desirable for the National Forest System purposes. If completed, the land exchange could result in significant revenue for the Federal Government.

The bill has bipartisan support, including the Department of Agriculture. I urge its passage in the House, and I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Speaker, I am now pleased to yield such time as he may consume to my colleague from California, Congressman PAUL COOK, the author of this bill.

Mr. COOK. Mr. Speaker, H.R. 1241, obviously, would facilitate a land exchange in Mono County, California. It would allow the Mammoth Mountain Ski Area to obtain the 21 acres surrounding the Mammoth Mountain Inn that it currently leases from the National Forest Service. In return, Mammoth Mountain would transfer 1,500 acres of land along with a cash equalization payment to the National Forest Service. This would allow Mammoth Mountain to replace and rebuild the

Mammoth Mountain Inn. After more than 50 years of use, the Inn suffers from poor, deteriorated construction, and its replacement would allow Mammoth Mountain to continue operating California's premier ski area.

This bill is a jobs bill. Mammoth Mountain's employment fluctuates between a high of 2,500 employees during the winter to down to 650 in the summer. Mono County has a population of only 14,000 people. Thus, this area is by far and above the largest employer in the country. This would help facilitate and would create new construction jobs, but it would also allow the ski area to expand, creating more permanent jobs.

It's also an environmental bill. The 1,500 acres that Mammoth Mountain would be transferring to the Forest Service has long been desired for protection by local environmentalists and the Forest Service. It will end what the Inyo National Forest supervisor described as a “very, very imminent threat to the scenic basin.”

The legislation is supported by the Mono County Board of Supervisors, the town council, the various chambers of commerce and the Eastern Sierra Land Trust.

I urge my colleagues to join me in supporting this vital local bill.

Mr. GRIJALVA. Mr. Chairman, I yield back the balance of my time.

Mr. MCCLINTOCK. Mr. Speaker, again, I thank the gentleman for his support of the measure and urge its adoption. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MCCLINTOCK) that the House suspend the rules and pass the bill, H.R. 1241.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### LOWER EAST SIDE TENEMENT NATIONAL HISTORIC SITE AMENDMENTS ACT

Mr. MCCLINTOCK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1846) to amend the Act establishing the Lower East Side Tenement National Historic Site, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1846

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the “Lower East Side Tenement National Historic Site Amendments Act”.*

#### SEC. 2. AMENDMENTS.

*Public Law 105-378 is amended—*

*(1) in section 101(a)—*

*(A) in paragraph (4), by striking “the Lower East Side Tenement at 97 Orchard Street in New*